

**MICHIGAN DEPARTMENT OF AGRICULTURE
PESTICIDE AND PLANT PEST MANAGEMENT DIVISION
EMERALD ASH BORER INTERIOR QUARANTINE**
(Revised February 4, 2008)

WHEREAS, the Director, Michigan Department of Agriculture, having found that an exotic pest, known as the emerald ash borer, *Agrilus planipennis* (Fairemaire), has been detected in this state; and

WHEREAS, the emerald ash borer has been found infesting and killing ash, *Fraxinus* spp., trees in certain counties, cities, and townships; and

WHEREAS, ash trees are a valuable resource for the timber industries in Michigan; and

WHEREAS, ash trees represent a significant component of the natural environment in Michigan; and

NOW, THEREFORE, the Director of the Michigan Department of Agriculture by the authority of Act No. 72 of the Public Acts of 1945, as amended, does promulgate this quarantine to prevent the further spread of this pest and sets forth: definitions, regulated articles, quarantined areas, conditions of movement, violations and penalties, and special exemptions. This revised quarantine shall become effective immediately and will remain in effect until rescinded by the Director.

I. DEFINITIONS.

The following terms shall be construed to mean:

- (A) **CERTIFICATE and CERTIFICATE OF INSPECTION** mean a document issued or authorized to be issued by the Director, including state-issued certificates of quarantine compliance, state phytosanitary certificates, limited permits, and multiple-use quarantine certificates to allow the movement of regulated articles to any destination.
- (B) **COMMERCIAL SHIPMENT** means movement for a business purpose that involves a sale or financial transaction.
- (C) **COMPLIANCE AGREEMENT** means a written agreement between a person moving or receiving regulated articles and the Director.
- (D) **DIRECTOR** means the Director of the Michigan Department of Agriculture or his or her authorized representative.
- (E) **INFESTATION** means the presence of the emerald ash borer or the existence of the circumstances that make it reasonable to believe that the emerald ash borer is present.
- (F) **INSPECTOR** means an employee of the Michigan Department of Agriculture authorized to enforce the provisions of this quarantine.
- (G) **LOG** means tree parts cut into lengths 4 feet or longer.
- (H) **MICHIGAN'S LOWER PENINSULA** means the area that consists of those 68 contiguous Michigan counties lying between the Michigan-Indiana/Ohio state line to the south and the northernmost point of Emmet County to the north. For the purpose of this quarantine, Michigan's Lower Peninsula is divided into two quarantined areas as described in Section III.

- (I) **MICHIGAN'S UPPER PENINSULA** means the area that consists of those 15 contiguous Michigan counties lying between the Michigan-Wisconsin state line to the west and Canada to the east.
- (J) **MOVED (MOVE, MOVEMENT)** means shipped, held for shipment, received for shipment, transported, carried, or allowed to be moved or shipped.
- (K) **PERSON** means an individual, firm, association, partnership, corporation, governmental entity, or other legal entity.
- (L) **LUMBER** means timber sawed into boards, planks, or other structural members of standard or specified length.
- (M) **PALLET** means a portable platform used for moving cargo or freight
- (N) **BARK** means the natural bark of a tree, including the ingrown bark around knots and bark pockets between rings of annual growth and an additional ½ inch of wood, including the vascular cambium.
- (O) **BARK-FREE WOOD** means a piece of wood from which the bark has been removed. See I(N)

II. REGULATED ARTICLES.

- (A) The emerald ash borer, *Agrilus planipennis* (Fairemaire), in any living stage of development.
- (B) Entire ash (*Fraxinus* spp.) trees.
- (C) Ash limbs and branches.
- (D) Ash stumps.
- (E) Ash logs with bark as described in I (N).
- (F) Ash lumber with bark as described in I (N).
- (G) Non-coniferous (hardwood) wood chips and non-coniferous (hardwood) bark chips larger than 1 inch in two dimensions.
- (H) Any article, product or means of conveyance when it is determined by the Director to present the risk of spread of the emerald ash borer.
- (I) Firewood of any non-coniferous (hardwood) species with bark as described in I (N).

III. QUARANTINED AREAS.

The counties and portions of counties listed below are designated as quarantined areas. In addition, the Director may designate any area as quarantined for the emerald ash borer in the future. Information on additional quarantined areas will be provided on the Michigan Department of Agriculture website located at www.michigan.gov/eab. A current printed copy of the quarantine is available upon request at all Michigan Department of Agriculture Regional offices and through the Michigan Department of Agriculture Pesticide and Plant Pest Management Division Lansing Office, P.O. Box 30017 Lansing, Michigan 48909, (517) 373-1087.

(A) Quarantine Level I

The counties listed below are designated as Quarantine Level I, based on the general presence of emerald ash borer.

Branch County – the entirety

Calhoun County – the entirety

Clinton County – the entirety

Eaton County – the entirety

Genesee County – the entirety

Gratiot County – the entirety

Hillsdale County – the entirety

Ingham County – the entirety

Jackson County – the entirety

Lapeer County – the entirety

Lenawee County – the entirety

Livingston County – the entirety

Macomb County – the entirety

Monroe County – the entirety

Oakland County – the entirety

Saginaw County – the entirety

Saint Clair County – the entirety

Sanilac County – the entirety

Shiawassee County – the entirety

Washtenaw County – the entirety

Wayne County – the entirety

(B) Quarantine Level II

The counties listed below are designated as Quarantine Level II, based on the several isolated occurrences of emerald ash borer in a contiguous area.

Alcona County – the entirety

Allegan County – the entirety

Alpena County – the entirety

Antrim County – the entirety

Arenac County – the entirety

Barry County – the entirety

Bay County – the entirety

Benzie County – the entirety

Berrien County – the entirety

Cass County – the entirety

Charlevoix County – the entirety

Cheboygan County – the entirety

Chippewa County –

Quarantine Boundary – Brimley area*

That area in Bay Mills and Superior Twps. in Chippewa Co. that is bounded as follows: beginning at the intersection of M-28 and Crawford St.; then north on Crawford St. to Irish Line Rd.; then continuing north on Irish Line Rd. to where it ends; then continuing north on an imaginary line to the boundary between Bay Mills and Superior Twps.; then continuing north and east on the boundary between Bay Mills and Superior Twps. to the shore of Lake Superior; then east on the shore of Lake Superior to the boundary between Bay Mills and Soo Twps.; then south on the boundary between Bay Mills and Soo Twps. to 6 Mile Rd.; then continuing south on the boundary between Dafer and Superior Twps. to Forrest Rd.; then continuing south on Forrest Rd. to M-28; then west on M-28 to the point of beginning.

*Michigan's emerald ash borer internal quarantine encompasses tribal lands. The Bay Mills Indian Community has in effect a similar quarantine that regulates the movement of ash wood products. The violation of quarantine regulations on tribal lands is also punishable by criminal prosecution.

Clare County – the entirety

Crawford County – the entirety

Emmet County – the entirety

Gladwin County – the entirety

Grand Traverse County – the entirety

Huron County – the entirety

Ionia County – the entirety

Iosco County – the entirety

Isabella County – the entirety

Kalamazoo County – the entirety

Kalkaska County – the entirety

Kent County – the entirety

Lake County – the entirety

Leelanau County – the entirety

Mackinac County –

City of St. Ignace – the entirety

Brevort Township – the entirety

Moran Township – the entirety

St. Ignace Township – the entirety

Manistee County – the entirety

Mason County – the entirety

Mecosta County – the entirety

Midland County – the entirety

Missaukee County – the entirety

Montcalm County – the entirety

Montmorency County – the entirety

Muskegon County – the entirety

Newaygo County – the entirety

Oceana County – the entirety

Ogemaw County – the entirety

Osceola County – the entirety

Oscoda County – the entirety

Otsego County – the entirety

Ottawa County – the entirety

Presque Isle County – the entirety

Roscommon County – the entirety

Saint Joseph County – the entirety

Tuscola County – the entirety

Van Buren County – the entirety

Wexford County – the entirety

(C) Quarantine Level III

All of the remaining portions of Mackinac County not listed as Quarantine Level II above are designated as Quarantine Level III.

IV. CONDITIONS OF MOVEMENT OF REGULATED ARTICLES.

- (A) The sale and/or movement of all ash nursery stock within, out of or into Michigan are prohibited under all conditions.
- (B) Ash wood material, including ash lumber, used in the State of Michigan for the manufacture of pallets and wood crating must be bark free, as described in Section I. (N).
- (C) Non-coniferous (hardwood) wood chips and non-coniferous (hardwood) bark chips three inches or smaller in two dimensions may move freely from Quarantine Level I to Quarantine Level II in the Lower Peninsula.
- (D) Shipping documents are required for any commercial shipment of; ash logs with bark, ash lumber with bark or firewood of non-coniferous species and must include a description of the regulated article, the point of origin and final destination of the regulated article by township, county, and state in the following movement circumstances:
 - 1. Originating from a Quarantine Level I area
 - 2. Originating from a Quarantine Level II area of the Lower Peninsula and leaving the Lower Peninsula
 - 3. Originating from a Quarantine Level II area of the Upper Peninsula to a Quarantine Level III area or to an un-quarantined area
 - 4. Originating from a Quarantine Level III area to an un-quarantined area
- (E) The movement of regulated articles that does not leave a Quarantine Level area, from where it originated, does not require shipping documents.
- (F) The movement of regulated articles, originating from a Quarantine Level I area to any destination outside of the Quarantine Level I area is prohibited, except under a thorough examination of all regulated articles and treatment methods approved by the Director which must take place under a Compliance Agreement.
- (G) The movement of regulated articles, originating from a Quarantine Level II area to any destination outside of the Quarantine Level II area is prohibited, except under a thorough examination of all regulated articles and treatment methods approved by the Director which must take place under a Compliance Agreement. Regulated articles may move from the Quarantine Level II area of the Lower Peninsula to the Quarantine Level I area without a Compliance Agreement.
- (H) The movement of regulated articles, originating from a Quarantine Level II area of the Lower Peninsula to the Upper Peninsula is prohibited, except under a thorough examination of all regulated articles and treatment methods approved by the Director which must take place under a Compliance Agreement. Regulated articles may move from the Quarantine Level II area in Mackinac County to the Quarantine Level II area of the Lower Peninsula without a Compliance Agreement.
- (I) The movement of regulated articles, originating from a Quarantine Level III area of the Upper Peninsula to the non-quarantined areas of the Upper Peninsula is prohibited, except under a thorough examination of all regulated articles and treatment methods approved by the Director which must take place under a Compliance Agreement. Regulated articles may move from the Quarantine Level III area to the Quarantine Level II area in Mackinac County without a Compliance Agreement.

- (J) A regulated article except for hardwood chips as described in (C) above may move from a Quarantine Level I, II, or III area only to a facility under a Compliance Agreement approved by the Director from September 1 through April 30, for processing, utilization, and/or disposal.
- (K) The movement of regulated articles, originating from outside any Quarantined Level which is moved into a Quarantined Level shall be considered to have originated from that Quarantined Level. These regulated articles may only be moved from that Quarantined Level under the conditions noted above.
- (L) Regulated articles moved in violation of this quarantine shall be removed from the area immediately or destroyed at the expense of the owner or owners, under the direction of the Director.

V. VIOLATIONS AND PENALTIES.

- (A) Any violation of this quarantine is subject to the full authority of Act No. 72, Public Acts of 1945, as amended.

VI. SPECIAL EXEMPTIONS.

- (A) The Director may allow, with written approval, the movement of regulated articles, into or within Michigan for research purposes.



Donald Koivisto, Director

February 4, 2008

Date